

REMARKS/ARGUMENTS

Claims 1-23 are pending in the present application. Claims 1-3, 5-7, 11, 13, and 17-23 have been amended. In view of the above amendments and the following remarks, the Examiner is respectfully requested to reconsider the outstanding rejections.

Rejection Under 35 U.S.C. § 103

Claims 1-16 and 18-23 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 5,634,704 to Shikama et al. (hereafter Shikama) in view of U.S. Patent No. 6,698,891 to Kato (hereafter Kato). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

In this rejection, the Examiner admits that Shikama fails to disclose a reflection type display device (see Office Action at page 5, second paragraph). However, the Examiner asserts that "Kato shows that a reflection type display device is an equivalent structure known in the art," citing col. 10, lines 44-48; col. 20, lines 39-41; col. 22, lines 13-15. The Examiner further asserts that it would have been obvious to one of ordinary skill in the art to substitute a reflection-type display for the transmission type display device. See Office Action at page 5, third paragraph.

Applicant does not concede to the Examiner's assertion that a reflection type display device is an art recognized equivalent to

a transmissive type display device. Furthermore, Applicant disagrees with the Examiner's statement that Kato discloses that the reflection and transmissive type display devices are art recognized equivalents; Applicant submits that the cited portions of Kato merely disclose an alternative embodiment where a reflection-type LCOS device may be used.

However, assuming for the sake of argument that it would have been obvious to substitute the reflection type display device for the transmissive type display device in Shikama, Applicant respectfully submits that this proposed modification fails to teach or suggest every claimed feature in independent claims 1, 5, and 11.

In an effort even more clearly distinguish the claimed invention over the cited patents, claims 1, 5, and 11 have been amended.

Amended claims 1 and 5 now recite **only one light guiding member**, where a light outgoing surface of the only one light guiding member is formed in a dissimilar shape with the image display region, and a region irradiated with light in the image display region is smaller than the image display region.

Similarly, amended claim 11 now recites **only one light guiding member**, where only a portion of the image display region

is irradiated by light discharged from the light outgoing surface of the only one light guiding member.

In contrast, Shikama's description of Figs. 6C and 6D, which is cited by the Examiner, discloses an embodiment including two rod integrators 24 and 30, such that the system is capable of switching the rod integrator that transmits luminous flux from the elliptical mirror 22. This is illustrated in Fig. 5.

As such, Shikama discloses that:

"...if the rod integrator is switched, so that, in a case where the aspect ratio (W:H) of the image display area...is 4:3, as shown in Fig. 6C, the rod integrator 24 having an aspect ratio ($W_L:H_L$) shown in Fig. 6D, is used, and when an aspect ratio of 16:9, as shown by the broken lines in Fig. 6C, is to be displayed on an image display area 70 having an aspect ratio of 4:3, the rod integrator 30 having a ratio ($W_L:H_L$) of 16:9 shown in Fig. 6D is used..." (col. 11, lines 7-16)

Accordingly, in terms of the number of light guiding members in the device, the claimed invention (only one light guiding member) has a clearly distinct configuration from Shikama (two rod integrators 24 and 30).

Shikama discloses another embodiment where there is only one light guiding member. However, regarding this embodiment, Shikama discloses in, e.g., col. 12, lines 26-40, that:

"[a]s has been described above, in the projection-type display device 43 of the third embodiment, the image display regions of the liquid-crystal panels 61R, 61G, and 61B are of analogous configuration and are illuminated with a luminous flux of a cross-sectional

configuration that is analogous to the image display region 70 and slightly larger in size, so that loss of illuminating light can be reduced and the brightness of the image projected on the screen SC raised, and further, by means of the projection-type display device 43, the degree of uniformity of illuminance of the emitting end 24B of the rod integrator 24 is high, and the image display areas of the liquid-crystal panels 61R, 61G, and 61B are uniformly illuminated, so that nonuniformity in the image projected on the screen SC can be reduced." (emphasis added)

Thus, for Shikama's embodiment where there is only one light guiding member, Shikama expressly teaches that it is desirable that a light outgoing surface of a light outgoing member is formed in a **similar shape** with the image display region 70 of a display device (the liquid-crystal panel 61), and a region irradiated with light in the image display region is **analogous to the image display region and slightly larger in size.**

Accordingly, this embodiment in Shikama differs from the claimed invention in terms of size of the region irradiated with light in the image display region. Shikama's embodiment discloses an analogous or slightly larger size, while the claimed invention requires a smaller size. Also, Shikama's embodiment differs in configuration. Shikama's light outgoing surface has a similar shape, while the claims 1 and 5 recite a dissimilar shape. Therefore, Shikama's embodiment using only one rod integrator

directly teaches away of other features recited in independent claims 1, 5, and 11.

Thus, Applicant respectfully submits that Shikama fails to teach or suggest to one of ordinary skill in the art a system or apparatus including only one light guiding member in combination with the other claimed features mentioned above. Although Shikama discloses an embodiment using only one rod integrator, this embodiment teaches away from the other claimed features discussed above. Furthermore, it is respectfully submitted that Kato fails to remedy the aforementioned deficiencies of Shikama.

Applicant respectfully submits that claims 1, 5, and 11 are allowable at least for the reasons set forth above. Accordingly, Applicant respectfully submits that claims 2-10, 12-16, and 18-23 are allowable at least by virtue of their dependency on claims 1, 5, and 11. Thus, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shikama in view of Kato, and further in view of JP Publication No. 07-281293 to Sasaki (hereinafter Sasaki). It is respectfully submitted that Sasaki fails to remedy the deficiencies of the proposed combination of Shikama and Kato, as set forth above in connection with independent claim 11. Accordingly, it is respectfully submitted that claim 17 is

allowable at least by virtue of its dependency on claim 11. Thus, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Finality of Office Action Improper

In page 9 of the Office Action, the Examiner asserts that Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Applicant respectfully disagrees. Specifically, in the previously Reply filed on January 10, 2005, an amendment was made only to dependent claim 23 to respond to a purely formal matter (a claim objection). Accordingly, Applicant submits that the claim amendment in the previous Reply did not change the subject matter of the independent claims and, thus, did not necessitate the new grounds of rejection presented in the outstanding Office Action. Thus, the Examiner is respectfully requested to withdraw the finality of this Office Action and enter the claim amendments presented herein.

Conclusion

Entry of the above claim amendments is respectfully requested in that the finality of outstanding Office Action is improper. In view of the above amendments and remarks, it is believed that the claims clearly distinguish over the patents

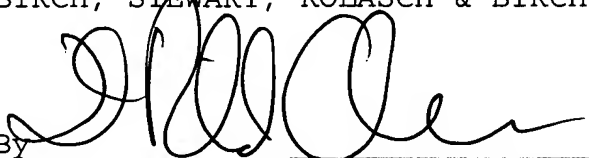
relied on by the Examiner, either alone or in combination. Accordingly, the Examiner is respectfully requested to reconsider the outstanding claim rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

D. Richard Anderson, #40,439


DRA/JWR/kpc

2257-0239P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000